



November 4, 2010

VIA ECF AND REGULAR MAIL

Honorable Dickinson R. Debevoise, U.S.S.D.J.
U.S. District Court for the District of New Jersey
M.L. King, Jr. Federal Bldg. & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

**Re: Walsh Securities, Inc. v. Cristo Property Management, Ltd., et al.
Civil Action No. 97-cv-3496 (DRD)(MAS)**

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Dear Judge Debevoise:

This office represents Defendant/Third-Party Plaintiff Commonwealth Land Title Insurance Company ("Commonwealth") in connection with this matter. We write to request leave to file the enclosed short sur-reply letter brief to Coastal Title Agency's ("Coastal") Reply Brief in Support of its Motion to Dismiss Cross-claims of Title Insurance Defendants Pursuant to Rule 12(b)(6) [document 423]. Coastal's reply brief raised a new argument that leave to amend the Complaint in this matter should be denied, reasoning that the information on which Commonwealth relies "has been available for over a decade[.]" Commonwealth seeks to clarify the record as to the fact that it is relying on newly discovered evidence.

Thank you for your consideration of this matter.

Respectfully submitted,

s/ David R. Kott

David R. Kott

Enclosure

cc: Martin R. McGowan, Jr., Esq. (via ECF and regular mail) (w/encl.)
All Persons and Entities on the Attached Service List (via regular mail)
(w/encl.)
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